

## HOUSE BILL NO. 346

INTRODUCED BY C. SCHRUMPF, BARRETT, R. BROWN, E. CLARK, DEVLIN, G. FORRESTER,  
JACOBSON, KASTEN, KITZENBERG, LASZLOFFY, MASOLO, D. MOOD, PATTISON

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE REQUIREMENT THAT A RETAIL EGG  
DEALER MUST HAVE A LICENSE TO SELL EGGS; AMENDING SECTION 81-20-201, MCA; AND  
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 81-20-201, MCA, is amended to read:

**"81-20-201. Egg Wholesale egg dealer's and egg grader's licenses -- exemptions -- fee.** (1) A  
person may not buy, sell, or deal in eggs without first obtaining a wholesale egg dealer's license from the  
department of livestock for each establishment at which business is conducted. ~~A licensee shall send to~~  
~~the department the reports that are requested by the department.~~

(2) The department shall establish a license fee for dealers ~~buying eggs for sale at retail and for~~  
~~dealers~~ buying eggs for resale at wholesale. All licenses must be posted in a conspicuous place in each  
place of business. ~~Licenses expire each year on the anniversary date established by rule by the board of~~  
~~review established in 30-16-302.~~

~~(2)(3)~~ (a) A person buying, selling, or dealing in eggs, a major portion of which are produced by  
the person's own fowl; or in amounts less than an average of 25 cases ~~per a month~~ over a 12-month  
period, is exempt from the requirements of this section.

(b) A person buying eggs for sale at retail is not required to obtain a license from the department.

~~(3)(4)~~ Wholesale and retail dealers who handle more than an average of 25 cases of eggs ~~per a~~  
month over a 12-month period and who are supplying eggs to consumers ~~must, when selling candled eggs,~~  
shall sell only eggs candled by or under the supervision of experienced and licensed graders.

(5) The department shall establish a fee for a grader's license. All candlers and graders ~~must~~ shall  
pass an examination required by the department.

(6) A person licensed under this section shall send to the department any information or reports  
that the department requires.

1        (7) The license licenses provided for in this section expires expire each year on the anniversary  
2        date established by rule by the board of review established in 30-16-302."

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4 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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